



# NASA Procedural Requirements

**NPR 3800.1**  
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**COMPLIANCE IS MANDATORY**

## Employee Benefits

**Responsible Office: Office of Human Capital Management**

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# Preface

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## P.1. Purpose

This NPR establishes the responsibilities and procedures as they pertain to employee benefits of health insurance, life insurance, long-term care insurance, professional liability insurance, retirement programs, child care, telework, and flexible spending accounts in accordance with applicable laws and regulations. It provides Agency direction, which should be used in conjunction with the referenced statutory and regulatory requirements. Center Human Resources Offices should be consulted for further information and guidance.

## P.2. Applicability

This NPR is applicable to NASA Headquarters and all NASA Centers, including the Office of the Inspector General and Component Facilities. Unless otherwise indicated, use of the word Center(s) in the text of the NPR includes NASA Headquarters, and any reference to Center Director(s) includes the Assistant Administrator for Infrastructure and Administration.

## P.3. Authority

- a. 5 U.S.C. Prec. 5941, Reimbursements Relating to Professional Liability Insurance.
- b. 5 U.S.C. 8331 et seq., Civil Service Retirement.
- c. 5 U.S.C. 9001-9008, Long-Term Care Insurance.
- d. 5 U.S.C. 3371 et seq., Assignments To and From States.
- e. 38 U.S.C. 4317, Health Insurance.
- f. 42 U.S.C. 2451, The Public Health and Welfare, National Space Program.
- g. 42 U.S.C. 2473 (c)(1), Section 204 (c)(1) of the National Aeronautics and Space Act of 1958, as amended.
- h. 42 U.S.C. 13041, Child Care Worker Employee Background Checks.
- i. 5 CFR Part 875, Federal Long-Term Care Insurance Program.
- j. 5 U.S.C. 6120, Flexible and Compressed Work Schedules.
- k. 5 U.S.C. 8905, Health Insurance.
- l. 5 CFR Part 334, Temporary Assignment of Employees Between Federal Agencies and State, Local, and Indian Tribal Governments, Institutions of Higher Education, and Other Eligible Organizations.
- m. 5 CFR Part 792, Federal Employees' Health and Counseling Programs.
- n. 5 CFR Part 831, Retirement.
- o. 5 CFR Part 870, Federal Employees' Group Life Insurance Program.
- p. 5 CFR Part 875, Federal Long-Term Care Insurance Program.
- q. 5 CFR Part 892, Federal Flexible Benefits Plan: Pre-Tax Payment of Health Benefits Premium.
- r. 5 U.S.C. 8351 et seq., Participation in the Thrift Savings Plan.
- s. 26 U.S.C. 125, Cafeteria Plans.

## P.4. References

- a. NPD 3000.1A, Management of Human Resources.
- b. NPR 2810.1, Security of Information Technology.
- c. NPR 3300.1, Appointment of Personnel To/From NASA.
- d. NPR 3430.1, NASA Employee Performance Communication System (EPCS).
- e. OPM's CSRS/FERS Handbook for Personnel and Payroll Offices.

## **P.5. Cancellation**

**/S/**

**James L. Jennings**  
**Associate Administrator for**  
**Institutions and Management**

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# Chapter 1. Health Insurance Coverage

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## 1.1. References

- 1.1.1. 5 U.S.C. 3371 et seq., Assignments To and From States.
- 1.1.2. 38 U.S.C. 4317, Health Insurance.
- 1.1.3. 5 U.S.C. 8905, Health Insurance.
- 1.1.4. 5 CFR Part 334, Temporary Assignment of Employees Between Federal Agencies and State, Local, and Indian Tribal Governments, Institutions of Higher Education, and Other Eligible Organizations.
- 1.1.5. 5 CFR Part 890, Federal Employees Health Benefits Program.
- 1.1.6. NPD 3000.1A, Management of Human Resources.
- 1.1.7. NPR 3300.1, Appointment of Personnel To/From NASA.
- 1.1.8. 5 CFR Part 892, Federal Flexible Benefits Plan: Pre-Tax Payment of Health Benefits Premiums.

## 1.2. Responsibility

The NASA Center Directors and the Inspector General are responsible for the following at their respective Centers in accordance with the appropriate references:

- a. Ensure that employees are informed of their eligibility to be enrolled in a health benefits plan.
- b. Notify employees of their rights to make changes in their health benefits due to a "life event" or an annual open season election.
- c. Ensure that employees who are participating in the Federal Employees Health Benefits (FEHB) Program are notified that they are automatically covered by the premium conversion plan unless they file a waiver form with their employing office in accordance with 5 CFR 892.201(e).
- d. Establish Reconsideration Process
  - 1. Reconsideration consists of a review of an initial decision or determination for enrollment or coverage to determine if the employing office correctly applied the laws and regulations.
  - 2. Notify employees of the procedure that has been established for requesting a reconsideration process for the FEHB Program in accordance with 5 CFR 890.104.
- e. Employees Called to Military Active Duty
  - 1. Ensuring that the requirement for employees who are called to military active duty in excess of 30 days through 18 months pay their share of the FEHB premiums incurred while they are in a leave-without-pay (LWOP) status is waived in accordance with 38 U.S.C. 4317.
  - 2. Ensure that the employees' share of the premiums are paid by the agency, including the
  - 3. 2-percent administrative cost after 12 months through 18 months.
  - 4. Ensure that the Standard Form 50 reflects the statement, "Employee's Military Active Duty meets the requirements for the waiver of the employees' share of FEHB deductions due to a Presidential Directive for callup to military active duty in excess of 30 days in accordance with the provisions of Title 10, U.S.C.," indicating the employee meets the requirements for the waiver.
- f. Court-Ordered Coverage for Children -- Ensure that the provisions of court administrative orders which mandate employees to provide health coverage for children are carried out and guidelines are followed in accordance with 5 U.S.C. 8905.
  - 1. Process - Upon receipt of such an order, the Human Resources (HR) office must:
    - i. Notify the employee of receipt of the order.
    - ii. Determine if the employee has appropriate health insurance (self and family and appropriate covered area) or

request documentation from the employee that shows that the required coverage is provided through means other than the FEHB.

- iii. If appropriate coverage is elected or other documentation is provided, no other action is needed.
- iv. If appropriate coverage is not elected, then the HR office will have the Chief Counsel's office at the appropriate Center review the order and assist in preparation of a letter to the employee to inform him/her that the appropriate coverage must be elected through FEHB or otherwise be obtained by the end of the pay period following the one in which notice is given or the agency will process the appropriate change or enrollment to the employee's FEHB.
- v. Once a determination is made that appropriate coverage is elected or provided by the employee, the HR office should "flag" the employee record (both the Official Personnel Folder (OPF) and the Federal Personnel and Payroll System (FPPS) to reflect the court or administrative order.
- vi. HR must then notify the submitter of the order and the FEHB carrier.

g. Intergovernmental Personnel Act (IPA)

- 1. Ensuring that employees who are approved to participate under the Intergovernmental Personnel Act are informed of the rules and regulations governing the continuation of their health benefits.
- 2. Prior to an employee starting an IPA assignment, they must be notified of the requirements governing their health benefits as documented in the NASA Desk Guide on the IPA (DG-11 dated October 1999), which is available at <http://nasapeople.nasa.gov/references/IPA%20Desk%20Guide%20rev%20Aug04.pdf>.
- 3. Prior to an employee starting an IPA assignment with a non-Federal entity, they must provide any information regarding that entity's health program, for which the employee may be covered, to the Office of Personnel Management (OPM). OPM will review the information and make a determination as to whether or not the non-Federal entity's program is determined to be similar to the Federal programs.

## 1.3. Participation

All Centers and the Office of the Inspector General must participate in this program and all eligible employees may participate if they choose to do so.

## 1.4. Definition of the Federal Employees Health Benefits (FEHB) Program

FEHB is a federally sponsored health insurance program providing medical coverage to Federal employees, retirees, former employees, family members, and former spouses.

## 1.5. Definition of Qualified Enrollee

A qualified enrollee is any Federal employee or annuitant, whose position is not excluded from coverage by laws or regulations, and any family members eligible to be covered by the enrollment, as defined in appropriate laws and regulations (see 1.1 References).

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## Chapter 2. Life Insurance Coverage

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### 2.1. References

- 2.1.1. 42 U.S.C. 2451, The Public Health and Welfare, National Space Program.
- 2.1.2. 42 U.S.C. 2473 (c)(1), Section 204 (c)(1) of the National Aeronautics and Space Act of 1958, as amended.
- 2.1.3. 5 CFR Part 870, Federal Employees' Group Life Insurance Program.

### 2.2. Responsibility

The NASA Center Directors and the Inspector General are responsible for notifying employees that there are two types of life insurance available to employees of NASA and upholding the following at their respective Centers in accordance with the appropriate references:

a. Federal Employees Group Life Insurance (FEGLI)

1. Ensure that all nonexcluded new employees are notified that they are automatically insured for basic insurance unless they waive it.
2. Counsel eligible employees of their opportunities to elect or waive basic and optional forms of FEGLI.
3. Establish a reconsideration process for FEGLI in accordance with 5 CFR 870.105 and inform employees of this process.

b. NASA Employee Benefits Association (NEBA)

1. Ensure that all employees are notified of the availability of NEBA Insurance.
2. Provide adequate information to employees.
3. Keep employees abreast of changes as they occur regarding NEBA.

### 2.3. Participation

All Centers and the Office of the Inspector General must participate in these programs, and all eligible employees may participate if they choose to do so.

### 2.4. Definition of FEGLI

A group life insurance program that covers nonexcluded Federal employees, retirees, and eligible family members.

### 2.5. Definition of Qualified Fegli Enrollee

A qualified FEGLI enrollee is any eligible Federal employee, who does not elect to waive this coverage, and their eligible family members. If an employee elects to waive coverage, there is a 1-year waiting period before being eligible to enroll.

### 2.6. Definition of NEBA Life Insurance

NEBA is a nonappropriated fund instrumentality of the Federal Government authorized by the National Aeronautics and Space Act of 1958, as amended, and other applicable references. NASA Centers and the NEBA Board have been tasked with the following responsibilities:

### **2.6.1. Agency**

- a. NEBA is governed by a Board of Directors.
- b. NASA Administrator appoints a Chairperson and Vice Chairperson.

### **2.6.2. Center**

- a. Center Directors appoint Chapter Officers.
- b. Chapter Officers are composed of a President, Vice President, and Secretary-Treasurer.
- c. Center Directors may appoint at least three individuals to fill these positions.
- d. Each Chapter is responsible for processing initial and/or open-season enrollments, changes in enrollments, beneficiary changes, death claims, and ensuring enrollments are transferred between NASA Centers.
- e. Enrollments are processed by mailing or faxing applications and other documentation to the carrier for underwriting and ensuring that enrollments are processed.
- f. Each Chapter is responsible for forwarding and maintaining beneficiaries for all enrollees.

### **2.6.3. NEBA Board - Board of Directors is responsible for:**

- a. a. Setting overall policy of NEBA plan.
- b. b. Making decisions regarding premiums, options, and amounts of coverage.
- c. c. Selecting a carrier to underwrite the plan and refunds.

## **2.7. Definition of Qualified NEBA Enrollee**

A qualified NEBA enrollee is any NASA employee, including new employees, and those who have not elected to waive this coverage within the previous 12 months, and their eligible family members.

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## Chapter 3 Long-Term Care Insurance (LTC)

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### 3.1. References

- 3.1.1. 5 U.S.C. 9001-9008, Long-Term Care Insurance.
- 3.1.2. 5 CFR Part 875, Federal Long-Term Care Insurance Program.
- 3.1.3. 26 U.S.C. 125, Cafeteria Plans.

### 3.2. Responsibility

The NASA Center Directors and the Inspector General are responsible for the following at their respective Centers in accordance with the appropriate references:

- a. Ensure that employees are made aware of the opportunity to procure LTC Insurance in accordance with the provisions of 5 CFR Part 875;
- b. Ensure that all information provided by the Office of Personnel Management (OPM) and/or the insurance underwriters is distributed to employees;
- c. Ensure that employees are aware of those family members who are eligible for coverage;
- d. Inform employees that they must enroll in accordance with the time-period as regulated by OPM. New or newly eligible Federal employees, members of the uniformed services, and their eligible family members will be able to apply for the program using the abbreviated application within 60 days of becoming eligible. After that time, they can still apply, but will have to use the full underwriting application.

### 3.3. Definition of Long-Term Care Coverage

Long-term care coverage will provide employees and/or eligible family members with the kind of care needed to help perform daily activities for an ongoing illness or disability. It also includes the kind of medical care for an illness or injury that will require care and assistance beyond what is covered under a Federal employee's health insurance plan (typically after the first 90 days of illness/injury onset). It is intended to provide assistance with activities of daily living such as eating, bathing, dressing, transferring from a bed to a chair, using the bathroom, and remaining continent. There are a variety of options available to customize the policy.

### 3.4. Definition of Qualified Enrollee

LTC is applicable to Federal civil service employees and members of the uniformed services (including employees of the U. S. Postal Service and the Tennessee Valley Authority), Federal annuitants, surviving spouses of deceased Federal or Postal employees or annuitants who are receiving a Federal survivor annuity, individuals receiving compensation from the Department of Labor who are separated from Federal service, members or former members of the uniformed services entitled to retired or retainer pay, and retired military reservists at the time they qualify for an annuity, current spouses of employees or annuitants (including surviving spouses of members and retired members of the uniformed services who are receiving a survivor annuity), adult children who are at least 18 years old, (including adopted children and stepchildren) of living employees and annuitants, parents, parents-in-law and stepparents of living employees (but not of annuitants).

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## Chapter 4. Professional Liability Insurance

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### 4.1. References

- 4.1.1. 5 U.S.C. 5941, Reimbursements Relating to Professional Liability Insurance.

### 4.2. Responsibility

The NASA Center Directors and the Inspector General are responsible for the following at their Centers in accordance with the appropriate references:

- a. Develop a policy and procedures to implement the reimbursement requirement.
- b. Notify qualified employees.
- c. Provide adequate funding to support annual budget.
- d. Ensure that employees who apply for reimbursement are eligible.
- e. Determine the amount of monies that employees will be reimbursed.
- f. Ensure that the information proving receipt of insurance provided by the employee is verified.

### 4.3. Participation

All Centers and the Office of the Inspector General must participate in this program and all eligible employees may participate if they choose to do so.

### 4.4. Definition of Professional Liability Insurance

Insurance, which provides coverage for:

- a. Legal liability for damages due to injuries to other persons (including the expenses of litigation and settlement) resulting from or arising out of any tortuous act, error, or omission of the covered individual (whether common law, statutory, or constitutional) while in the performance of such individual's official duties as a qualified employee.
- b. The cost of legal representation for the covered individual in connection with any administrative or judicial proceeding (including any investigation or disciplinary proceeding) relating to any act, error, or omission of the covered individual while in the performance of such individual's official duties as a qualified employee, including other legal costs and fees relating to any such administrative or judicial proceeding.

### 4.5. Definition of Qualified Employees

- a. Supervisor and management official -- have the respective meanings given them by 5 U.S.C. 7103(a).
- b. Law enforcement officer -- an employee, the duties of whose position are primarily the investigation, apprehension, prosecution, detention, or supervision of individuals suspected or convicted of offenses against the criminal laws of the United States, including any law enforcement officer, under 5 U.S.C. 8331(20) or 8401(17) or 22 U.S.C. 4823.

### 4.6. Reimbursement Authority

Notwithstanding any other provision of law, amounts appropriated for salaries and expenses shall be used to reimburse

any qualified employee for one-half the cost incurred, not to exceed \$150 per year, by such employee for professional liability insurance. A payment under this section shall be contingent upon the submission of such information or documentation as the employing NASA Center may require.

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## Chapter 5. Retirement and Thrift Savings Plan (TSP)

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### 5.1. References

- 5.1.1. 5 CFR Part 831, Civil Service Retirement System.
- 5.1.2. 5 CFR Part 841, Federal Employees Retirement System.
- 5.1.3. 5 CFR Part 1690, Thrift Savings Plan.
- 5.1.4. NPD 3000.1A, Management of Human Resources.
- 5.1.5. OPM's CSRS/FERS Handbook for Personnel and Payroll Offices.

### 5.2. Responsibility

The NASA Center Directors and the Inspector General are responsible for the following at their Centers in accordance with the appropriate references:

- a. TSP Claim Process -- Establish procedures for participants to submit claims for correction of employing agency errors for the TSP in accordance with 5 CFR 1605(d) and notifying employees of this process and time limitations;
- b. Retirement Counseling -- Provide services, information, and counseling to employees and survivors of deceased employees in all aspects of their rights and benefits regarding their retirement eligibility, including notification of any changes that occur in the laws and regulations.
- c. Special Retirement Coverage for Firefighters and Law Enforcement Officer (LEO) -- request approval by the Administrator for special retirement coverage for Firefighter and Law Enforcement Officer (LEO) positions in accordance with the prescribed laws and regulations specified in 5 CFR, Part 831, and Chapter 46 of the OPM CSRS/FERS Handbook for Personnel and Payroll Offices. The request should provide the information as specified below:
  1. Submit requests for approval for establishment of Firefighter and LEO positions to the Administrator through the Assistant Administrator for Human Capital Management;
  2. Include in the request package a copy of the Official Position Description, mission of the office in which the position is located, and whether or not the position is a primary or secondary position;
  3. Submit requests for approval by the Administrator through the Assistant Administrator for Human Capital Management for waivers for any individual who exceeds the maximum age requirement for inclusion under special retirement coverage;
- d. Upon approval of the position by the Administrator, the Assistant Administrator for Human Capital Management is responsible for:
  1. Notifying either the Center Director or Inspector General and the Office of Personnel Management of approval of the newly established position for special retirement coverage or approval of waivers to the maximum age requirement.
  2. Establishing and maintaining a file pertaining to all requests involving Firefighter or LEO positions covered by special retirement coverage, including all background material used in making the determination.

### 5.3. Definition of Thrift Savings Plan

The TSP is a retirement savings and investment plan for Federal employees. The purpose of TSP is to provide retirement income. The retirement income received from an employee's account depends on how much the employee (and the agency, if the employee is a FERS employee) has contributed during the working years of the employee and the earnings on those contributions.

## 5.4. Definition of Special Retirement Covered Positions

5.4.1. Firefighter -- an employee whose duties are primarily to perform work directly connected with the control and extinguishment of fires or the maintenance and use of firefighting apparatus and equipment. Also included in this definition is an employee engaged in this activity who is transferred to a supervisory or administrative position. It does not include an employee whose primary duties are the performance of routine fire prevention inspection.

5.4.2. Law Enforcement Officer -- an employee whose duties are primarily the investigation, apprehension, or detention of individuals suspected or convicted of offenses against the criminal laws of the United States, including an employee engaged in this activity who is transferred to a supervisory or administrative position. It does not include an employee whose primary duties involve maintaining law and order, protecting life and property, guarding against or inspecting for violations of law, or investigating those other than persons who are suspected or convicted of offenses against the criminal laws of the United States.

## 5.5. Participation

All NASA Centers and the Office of the Inspector General that have employees in positions that meet these requirements must follow these procedures in accordance with the prescribed laws and regulations. Employees must be notified of these procedures.

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## Chapter 6. Operation of NASA Child Care Programs

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### 6.1. References

- 6.1.1. 42 U.S.C. 13041, Child Care Worker Employee Background Checks.
- 6.1.2. 5 CFR Part 792, Federal Employees' Health and Counseling Programs.
- 6.1.3. NPD 3000.1A, Management of Human Resources.

### 6.2. Responsibility

The establishment and operation of a child care program at NASA Centers is voluntary. The NASA Center Directors are responsible for the following for their respective Centers in accordance with the appropriate references:

#### 6.2.1. Facility, Safety, and Security Policies:

- a. Ensuring that all existing and newly-hired child care providers undergo FBI criminal history background checks
- b. Ensuring that child care facilities develop, maintain, and enforce security and safety policies.
- c. Develop procedures to ensure that child care facility doors are kept locked during business hours and that play area gates are locked.
- d. Develop access controls to the child care facility to ensure that only authorized persons are allowed access.
- e. Ensure that direct "line of sight" is maintained within child care facilities, i.e., no furniture and/or equipment may obstruct the children's visibility from child care workers.

#### 6.2.2. Subsidized Child Care Programs:

- a. Using only appropriated funds for child care costs for lower income employees within approved budgets
  - b. Ensuring that child care subsidy recipients are civil service employees.
  - c. Ensuring that subsidy payments are made directly to licensed child care providers.
  - d. Ensuring that child care subsidies are need-based in accordance with total family income (TFI).
  - e. Determining lower income eligibility.
1. TFI should not normally exceed the locality General Schedule pay rate of GS-7, step 10, for a single working parent or GS-11, step 10, for combined TFI.
  2. Exceptions may be made for special circumstances such as an unusually large number of dependents.
  3. Tuition assistance subsidy should not normally exceed 30 percent of total child care tuition that a family is expected to pay.
  4. Exceptions may be made for employees who are experiencing special/catastrophic circumstances (e.g., death of spouse, concurrent child care and elder care expenses).

### 6.3. Participation

6.3.1. Centers are not required to participate in the subsidy program. The decision to participate is left to the discretion of the Center.

6.3.2. If a Center chooses to participate in the subsidy program, notification must be made to the Office of Human Capital Management.

### 6.4. Definition of Child

For the purposes of the subsidy program, a child is considered to be from birth through age 13 and disabled children through age 18 and may include a biological child who lives with the Federal employee; an adopted child; a stepchild; a foster child; a child for whom a judicial determination of support has been obtained; or a child to whose support the Federal employee who is a parent or legal guardian makes regular and substantial contributions.

## **6.5. Independent Financial Manager**

Centers have the option to use an independent financial manager for facilitating administrative processes related to subsidy program operations.

## **6.6. Special Restrictions or Requirements on Use of Funds**

Centers may choose to place restrictions on the use of child care subsidy funds in a number of ways including, but not limited to: (1) subsidize Federal employees using family child care homes; (2) subsidize Federal employees using on-site child care centers; (3) subsidize Federal families using community, non-Federal child care centers; or (4) restrict the use of such subsidies to one or more locations.

## **6.7. Reporting Requirements**

Each Center must forward an annual subsidy report to the Office of Human Capital Management for consolidation and forwarding to OPM. Based on the NASA Records Retention Schedule, these reports are to be destroyed when they are 2 years old.

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## Chapter 7. Operation of NASA Telework Programs

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### 7.1. References

- 7.1.1. 5 U.S.C. 6120, Flexible and Compressed Work Schedules.
- 7.1.2. NPR 2810.1A, Security of Information Technology.
- 7.1.3. NPR 3430.1, NASA Employee Performance Communication System.

### 7.2. Responsibility

The NASA Center Directors and the Inspector General are responsible for establishing the following for their respective Centers in accordance with the appropriate references:

- a. Developing and implementing a telework program consistent with Federal laws, regulations, and Agency policy. Where appropriate, pilot programs may be conducted.
- b. Ensuring that all positions are reviewed to identify positions suited for teleworking.
- c. Ensuring that teleworkers utilize the same time and attendance rules as nonteleworkers.

### 7.3. Participation

The telework program provides workplace options for employees to facilitate work/family needs and commuting requirements. It is primarily a management option rather than an employee benefit and does not change the terms and conditions of appointment. Telework positions must include duties suitable to being performed away from the official duty station. Participation is voluntary and requires management approval. Accordingly, there is no employee entitlement to participate in teleworking.

### 7.4. Definition of Teleworking

Teleworking refers to any arrangement in which an employee regularly performs officially assigned duties at home or other approved work sites that are typically geographically convenient to the residence of the employee. Employees may participate in one of three telework programs.

7.4.1. Regular. Long-term work arrangements wherein the employee performs assigned duties at an alternate work site during the preestablished tour of duty. Typically, regular teleworkers will report to the official duty station at least 1 day a week. However, special telework agreements may be approved by a supervisor that does not include this requirement.

7.4.2. Nonregular or Episodic. Recognizing that some projects may be amenable to being performed at home or other alternate work sites rather than in an office setting, teleworking arrangements may be available for a short duration to complete all or discrete portions of a project.

7.4.3. Medical. Suitable when an employee has a health condition which limits his/her mobility or ability to perform at the regular workplace. Medical documentation must support the request and may be required to retain the telework status. The documentation should include the expected length of the medical condition.

### 7.5. Definition of Eligible Employees

Eligible employee means any satisfactorily performing employee of the Agency whose job may typically be performed at least 1 day per week away from the work site.

## **7.6. Position Descriptions and Performance Standards**

Position descriptions do not require modification for participation in the telecommuting program. Supervisors will assess performance standards to determine whether changes, if any, are required.

## **7.7. Termination**

Employees participating in the program may withdraw or be terminated by management from the telework program. Management and/or employees should provide sufficient notice (normally 1 week) to ensure adequate time to plan for return to a regular work environment and schedule. Reasons for withdrawing/termination may include such factors as not being able to fulfill or meet duties and responsibilities, not proving beneficial to the organization and/or the employee, need to transfer to a different position, or a loss of interest in the program. Any "Fails to Meet Expectations" performance rating on any element, as defined in NPR 3430.1, will immediately result in termination from the telework program.

## **7.8. Schedule Modifications**

Management may modify, with advanced notification (normally 1 week), the employee's work schedule or location to accommodate workload demands or for other official purposes.

## **7.9. Records Management**

Official records removed from the official duty stations for telework assignments remain the property of NASA, and any records generated from telework assignments become the property of NASA. Removal of Government records from the official duty station requires prior coordination with the supervisor. The removal of Privacy Act and other sensitive information for teleworking assignments requires supervisory approval. Off-site access to classified data is not permitted. Information that is sensitive or subject to the Privacy Act should be identified as such, and employees should be counseled on proper use and safeguarding of these documents.

## **7.10. Telecommunications and Equipment**

7.10.1. Telephone. Centers will provide telephone credit cards or will reimburse an employee working on a teleworking assignment for business-related long distance and toll phone calls on their personal telephone. Employees will be required to certify that all usage of such services is for official Government business.

7.10.2. Agency-owned equipment. Agency-owned equipment may be used by employees in their private residences provided the equipment is available and is used only for authorized purposes. Strict adherence to supervisory requirements and property management regulations concerning the safeguarding and removal of all equipment is essential. Agency-owned computer equipment must be returned by teleworking employees, as necessary, for servicing by Agency-authorized technicians.

## **7.11. Workers Compensation**

Teleworking employees are covered by the Federal Employees Compensation Act. On-the-job injuries must be brought to the immediate attention of the supervisor and are subject to investigation.

## **7.12. Reporting Requirements**

Each Center must forward reports, as requested by the Office of Human Capital Management, for Agency consolidation and analysis consistent with OPM requirements. Based on the NASA Records Retention Schedule, these reports are to be destroyed when they are 2 years old.

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## Chapter 8. Flexible Spending Accounts (FSA)

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### 8.1. References

- 8.1.1. 5 U.S.C. 9001-9008, Long-Term Care Insurance.
- 8.1.2. 26 U.S.C. 125, Cafeteria Plans.

### 8.2. Responsibility

The NASA Center Directors and the Inspector General are responsible for the following at their respective Centers in accordance with the appropriate references:

- a. Ensure that employees are made aware of the opportunity to enroll and participate in an FSA in accordance with the provisions established in regulations.
- b. Ensure that all information provided by the Office of Personnel Management (OPM) and/or the insurance underwriters is distributed to employees.
- c. Ensure that employees are aware of those family members who are eligible for coverage.
- d. Inform employees that they must enroll in accordance with the specified timeframe(s) as regulated by OPM. New or newly eligible Federal employees, members of the uniformed services, and their spouses have the opportunity to enroll within 60 days of becoming eligible. Beyond initial enrollment, employees can only apply in accordance with the standard open season or qualifying life event, regulated by OPM.

### 8.3. Participation

All Centers and the Office of the Inspector General must participate in this program, and all eligible employees may participate if they choose to do so.

### 8.4. Definition of Flexible Spending Accounts

A Flexible Spending Account (FSA) is a benefit program that offers Federal employees the opportunity, each calendar year, to set aside pretax dollars for two different FSAs: a healthcare FSA or dependent care FSA.

### 8.5. Definition of Qualified Enrollee

A qualified enrollee is any employee who works for an executive branch agency or an agency that has adopted the Federal Flexible Benefits Plan (FedFlex) is eligible to enroll. Employees whose appointment conveys eligibility for FEHB coverage may elect to enroll in the health care FSA upon entering on duty. All employees with qualified dependents may elect to enroll in the dependent care FSA except temporary employees with no fixed work schedule (when actually employees) whose tour of duty is 6 months or less.